



# OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

Teri Rennia, City Council President

Angela Holmes, City Clerk

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## BOARD OF ESTIMATE AND APPORTIONMENT

### MEETING MINUTES

DPW Conference Room, 3<sup>rd</sup> Floor City Hall

Wednesday September 25, 2013

**Call to Order.** Called to order at 11:13am by Mayor Matthew T. Ryan.

**Present:** Matthew T. Ryan, Mayor; Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel; Philip T. Krey, City Engineer; Luke Day, Commissioner of Public Works

**Absent:** None

**Also Present:** Angela Holmes, City Clerk; Gerald Kennicutt, Deputy Comptroller

### ITEMS CONSIDERED

**72 Court Street.** Offer to Purchase 72 Court Street for \$1, submitted by 33 State Street Associates on August 1, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on August 2, 2013. Tom Costello responded on August 2, 2013, stating that he is not in favor of this offer, submitted without a plan for development that addresses the primary use for the proposed purchase and related impact on adjacent parcels. In addition, the proposed purchase price seems unrealistic. Scott Snyder responded on August 7, 2013 stating that he agreed with Tom Costello's recommendations. Tarik Abdelazim responded on August 21, 2013, stating that so long as Building and Engineering concerns are addressed (detailed plan with fire safety issues raised, investigation of right-of-way issues, higher sales price), PHCD has no objections to the sale, as the future use of the lot as a downtown park would still be feasible. Philip T. Krey met with Allan Pope, representing both owners of the two adjoining buildings, and discussed the installation of a fire escape. The Board discussed maintaining the parcel as a separate lot, in case the larger portion of 72 Court Street is developed at a future date, with the added condition that the parcel would be re-conveyed to the City for the same purchase price should development of the larger parcel take place. Kenneth J. Frank met with Scott Snyder, who is not in favor of the plan to sell a portion of the lot with the opportunity for the City to purchase it at a later date. Corporation Counsel would entertain granting either a license or an easement for the portion requested, with the understanding that the City or any owner of the remaining portion of 72 Court Street could build above. Corporation Counsel wrote to applicant's attorney; no response received. Item held.

**9 Way Street.** Requests for sealed bids were sent to Sarah Edwards, James M. Rock, Kenneth Johnson, and CZAL, LLC. Two sealed bids were received, and opened at the meeting.

1. Offer from Sarah Edwards, received September 9, 2013. Offer to Purchase 9 Way Street for \$100, with the understanding that the City of Binghamton will demolish the existing building.
2. Offer from Jim Rock, received September 9, 2013. Offer to Purchase 9 Way Street for \$1, with the understanding that the City of Binghamton will demolish the existing building, grade the property, and accept ownership of 29 & 31-3 Virgil Street as an exchange.

Both offers held, pending review by the Department of Planning, Housing and Community Development. Items held.

**29 Munsell Street.** Richard Woodruff, owner of 27 Munsell Street, called on August 23, 2013, expressing interest in 29 Munsell Street for additional yard space. He submitted an Offer to Purchase in 2011 which was rejected. The



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Department of Planning, Housing and Community Development recommended retaining the parcel for potentially larger private development. The applicant called to see if the City's position has changed. Tarik Abdelazim responded on August 23, 2013, stating that he would support a one-year lease, with the option of annual renewal, as it may be a few years before the City is able to assemble enough parcels to solicit redevelopment proposals. If the Board of Estimate and Apportionment agrees to a lease, Abdelazim would recommend that the parcel be kept as green space, with no structures, pavement or fencing. The Board requested that this proposal be shared with the applicant, and requested a formal proposal if the applicant is interested. Tarik Abdelazim will contact the applicant. Item held.

**32 Evans Street.** Offer to Purchase 32 Evans Street for \$1, submitted by Kraig M. Brigham, Jr. on August 22, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing and Community Development on August 23, 2013. Scott Snyder responded on August 23, 2013, stating that he will defer to PHCD's recommendation. Tarik Abdelazim responded on August 23, 2013, stating that the applicant submitted the winning \$1 proposal for 23 Alfred Street, adjacent to 32 Evans Street. The applicant intends to build a single-family home at 23 Alfred Street, and mentioned potential inclusion of 32 Evans Street in his redevelopment plans. PHCD supports the sale with two conditions: (a) PHCD must review the plans for 32 Evans Street first; and (2) the sales price should be consistent with sales prices for other vacant lots, \$100-\$500. Applicant will submit site plan to Angela Holmes. Item held.

**Approval of Minutes.** Motion to approve the minutes from the Board of Estimate and Apportionment meeting held on September 18, 2013.

Moved by Krey, seconded by Frank.

**Motion carried. (Vote 5-0)**

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

**Budget Transfers.** Request for various transfers within the 2013 Parks & Recreation budget to complete park repairs, maintenance and special construction projects noted on the Parks Inspection List, and to appropriate funding for a subscription. Submitted by Bill Barber, Director of Parks & Recreation. Request to transfer the following funds:

1. Transfer \$2,500 from budget line A7620.51800 (Parks—Temporary Services) to budget line A7110.54102 (Parks—General Operating Supplies);
2. Transfer \$7,300 from budget line A7620.51800 (Parks—Temporary Services) to budget line A7110.54130 (Parks—Construction Materials); and
3. Transfer \$200 from budget line A7620.51800 (Parks—Temporary Services) to budget line A7020.54702 (Parks—Subscriptions, Dues & Memberships).

Motion to approve requested budget transfers.

Moved by Krey, seconded by Day.

**Motion carried. (Vote 5-0)**

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

**37 Pine Street (Greenman Senior Center).** Review of three Offers to Purchase 37 Pine Street:

1. Proposal for purchase 37 Pine Street and 23 Pine Street (Greenman Senior Center property) for \$105,000, less broker fees of six percent of purchase price, submitted by Gemini Construction Management, LLC. The proposed purchase price included all building contents (kitchen items, appliances, pool tables, etc.). Kenneth J. Frank



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contacted the applicant, who clarified that the estimated price for the contents of the building would be \$10,000. The City Clerk's Office received multiple letters of interest in the property since the offer received from Gemini Construction Management, LLC. All offers to be reviewed at following meeting. The Board noted for the record that the City has not yet received any payment from Gemini Construction Management, LLC, and that the payment would only take place upon execution of a contract.

2. Offer to Purchase 37 Pine Street for \$123,000, submitted by Angela Testani on September 16, 2013.
3. Offer to Purchase 37 Pine Street for \$130,000, submitted by Jon Layish, President of Red Barn Technology Group, Inc. on September 18, 2013.

Motion to direct the Purchasing Agent to advertise the sale 37 Pine Street once more, requesting sealed bids in accordance with the requirements described by Corporation Counsel, and to send written notice to all individuals who have submitted offers or toured the property.

Moved by Frank, seconded by Pearsall.

**Motion carried. (Vote 5-0)**

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

**Adjournment.** Motion to adjourn at 11:36am.

Moved by Krey, seconded by Day.

**Voice vote, none opposed.**